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Difference between article 35a and 370 pdf

Difference between article 35a and 370 in hindi. Difference between article 370 and 35a upsc.

It restricts Parliament’s legislative powers with respect to J&K. Follow Parliament Live Updates | Read in Malayalam What were the terms included in the IoA for Kashmir? Article 370 is not only part of the Constitution but also of federalism, which is the basic structure. Those who advocate its suppression are more concerned with uniformity than with integration. Nehru, however, said in Lok Sabha on November 27, 1963 that “Article 370 has eroded.” Ninety-four of the 97 entries on the Union list are applicable to J&K; 26 of the 47 items on the Concurrent List have been extended to the state, in addition to 7 of 12 Lists. In a letter to the Prime Minister of J&K, Sheikh Abdullah, dated 17 May 1949, Prime Minister Jawaharlal Nehru with the concurrence of Vallabhbhai Patel and N Gopalaswami Ayyangar wrote: It has been an established policy of the Government of India, which on many occasions has been As stated by both Sardar Patel and myself, the Constitution of Jammu and Kashmir is a matter to be determined by the people of the State represented in a Constituent Assembly convened for that purpose.
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Yes, Article 370 (3) allows deletion by a Presidential Order. re-emphasizes Article 35 bis. After modifications and negotiations, Article 306A (now 370) was approved by the Constituent Assembly on May 27, 1949. What is the meaning of Article 370 for the Indian Union? Article 370 Part of the Constitution since it came into force, states that only two articles would apply to J&K: Article 1, which defines India, and Article 370. Article 370 states that other provisions of the Constitution may apply to J&K subject to such exceptions and modifications as the President may in order, with the consent of the state government and the endorsement of the J&K Constituent Assembly. But the other view is that is done, but only with the consent of the State Assembly. The Delhi High Court in Kumari Vijayalaksmi (2017) also rejected a petition saying that Article 370 is temporary and its continuation is a fraud against the Constitution. Therefore, it is a permanent arrangement. In certain respects, Article 370 reduces the powers of J&K Å Á compared to other States. Article 370 could be interpreted as temporary in the sense that the Constituent Assembly of J&K had the right to amend/delete/keep it, it decided to keep it... Although no prescribed form was provided, a joining State could specify the terms on which it agreed to join. To extend the president’s government beyond a year in Punjab, the government needed constitutional amendments 59th, 64th, 67th and 68th, but achieved the same result in J&K by simply invoking Article 370. The Center Å Á le the recent decision to extend to J&K the reserve benefits for SCs, STs, OBCs and those living along international borders, announced last week. As a result, the court has confirmed successive Presidential Orders under section 370. Article 370 itself mentions Article 1, which includes J&K in the list of states. Was Article 370 a temporary provision? Hari Singh signed the Instrument of Accession on 26 October 1947 and Governor-General Lord Mountbatten accepted it on 27 October 1947. Section 35A is derived from section 370, which was introduced by a Presidential Order in 1954. In Clause 5 of Kashmir’s Instrument of Accession, Raja Hari Singh, ruler of J&K, explicitly mentioned that the terms of my Instrument of Accession may not be changed by any amendment to the Act or the Indian Independence Act unless that such amendment be accepted by me by an Instrument ortutuf ortutuf n°Ágnin ratpeca a arenam anugin ed etemormoc em otnemurtsnI etse ne adan euq jÁraredisnoc es Å[°] :aÁced 7 alusuÁlc aL .073 oluÇÁra le ranimale arap atseupor anugin yah on euq ojíd ,odasap o±:Åa le otnemalraP le ne atricse atseupser anu ne .n°ÁinU al ed onreiboG IE .Å Á çÁtnemurtsnI etneserp led °Áruatser es aÁnarebos ayuc socepicipnirp sodatse 006 sonu etnarud arimehcaC y ummaJ ne odaibmac ah euq ol se Áuqa :odacilpxE .aidnI al a arimehcaC ed n°Áisehda al °ÁcsuB zev us a euq ,aidnI al ed aduya al °ÁcsuB ,n¡ÁtsikaP ed selenap noc sanosrep ne otric°ÁÁje led serbmoh sol y subirt ed serbmoh sol ed n°Áisavni anu ed s°ÁAupsed oreP .8491 ne K & J ne aidnI led onreiboG led ocnalB orbiL le ne acidni es omoc .lanoisivorp y laropmet etnemarup are n°Áisehda al euq °Áredisnoc aidnI .hsedarP arhdnA ed asvidini al arap D173 oluÇÁra led dutriv ne osulcni ,sodatse ed eires anu ne soelpme sol osulcni e senoisimda sal ne ollicimod ne adasav avreser al eugis eS ,ocepicipnirp odatse led etnarnreboq led laretalinu n°Áisiced anu ed ragul ne sanosrep sal ed soesed sol noc odreuca ed esrevloser ebéd ,n°Áisehda al erbos atupsid anu ayah euq areiueghnod euq aidnI al ed adacidni acilÁrop al euf .selanoicuititsnoc sadneimme sal ed aÁroyam al sadiulcni .K & J a °Áidnetxe es n°Áicuititsnoc al adot isac .4591 ed nedrO al nE .Jaropmet omoc 073 oluÇÁra le ratpeca a °Ágen es CS le ,)9691I (hsakarP tapmas nE .n¡ÁtsikaP y aidnI a acinÁtrrb aidnI al a °ÁAidvid 7491, aidnI al ed aicnednepedni ed yeL al odnauc ogeuj ne °ÁArtne AOI le ,ÁdabaredyH ,raslaN ed ochereD ed dadisrevinU al ed rellicnacervi y lanoicuititsnoc ochered ne otrepxe nu se rotua IE(,oirotajilbo se latatse onreiboq led °ÁicnerruccnO[°] ,sotnusa sorto a olrednetxe arap oreP .K & J ed laicepse odatse led otrefe le odlaluna ah isac aidnI ,selaincediserp senedr°ÁA sarem rop ,euq ne amro acin°ÁA al se atsE -rà .aidnI al ed esodnjÁrapes ,aidnI al ed onimac le ne somerarapes son on[°] secnotne ,adacifitar euf on n°Áisehda al is y ,senoicidnoc sal norær es odnauc odamot oticisibelp nu renet a odicerfo aÁbah es aidnI ,°ÁAtelpmoc es n°Áisehda al euqna euq ojíd ragnayYA ,n°Áicom al revoM .[°] ortutuf etse ed n°Áicuititsnoc reiulgauc ojab aidnI al ed onreiboG le noc sodreuca rarbeleç arap n°ÁAicercsid im ragerga arap o aidnI al ed independence, the Law provided three options: to remain an independent country, join the dominion of India, or join the dominion of Pakistan Pakistan And this joined either of the two countries was to be through an IOA. To change the provisions for the governor to be elected by the Assembly, article 370 was used to turn it into a president's candidate. In addition, state persons are referred to as "permanent residents", not ", the successful". Article 370 is not an integration issue but of autonomy. Article 3 of the constitution of J & K declares that J & K is an integral part of India. In the acceptance of the IOA of India, Lord Mountbatten declared that "it is the desire of my government, which as soon as the law and order have been restored in Kashmir and its soil is cleared by the invader, the question of the State adhesion will be resolved by a reference to people. The heading of this part is “temporary, transitory and special provisions.” There is any ground in view of that article 370 is essential for J & K part. of India? To extend a central law on subjects included in the instrument of adhesion (IOA), a mere “consultation” is needed with the state government. The Supreme Court in April 2018, said that, despite the note that it uses the word “temporary”, article 370 is not temporary. Included in the Constitution on October 17, 1949, Article 370 exempts J & K from the Constitution of India (except Article 1 and Article 370) and Allows the State to write its own constitution. E The center has used article 370 even to modify several provisions of the Constitution of J & K, although the President was not granted under Article 370. It is the first article of the XXI part of the Constitution. Article 35A was not approved according to the process of modification given in article 368, but was inserted into the recommendation of the Constituent Assembly of J & K through a presidential order. Why is it challenged? In the preamble of K K & J al ed otejbo le erbos ocir°ÁAgætac otnemiconocer nu yah orep .a-Ánarebos ed omalcer yah on olos on ,n°Áicuititsnoc sodatsE sortO gnp.lx1/80/0202/moc.sserpxenaidni.segami/-:spth.lanigiro n°ÁAicisop us a revlov nebed setrap sal euq se lareneg amron al ,otneimilpmucni ed osac ne ,esrilpmuc nebed sodatsE ertne sasemorp sal ,riced se ,adnavres tnus atcap se sodatsE ertne sotartnoc sol arap amixjÁm aL .sarreit ed arpmoc al a senoicirtser ed sopit sotreic netsixe n°ÁAibmat ,hsedarP lahcamih y etsedroN led sonugla sodiulcni ,sodatsE sorto soirav nE .rarror edeup es on ay euq se n°ÁAinipo anu ,7591 ed orene ed 62 le atleusid euf aelbmasA lat euq odad °ÁA53 oluÇÁra le se ©ÁuQÁ .setnenamrep setnediser sose a selaiçepse soigelivirp y sochered ragroto a y odatsE led »Aetnenamrep etnediser°A nu a rinifed a K&J ed arutalsigel al a atlucaf .4591 ed laicnediserP nedrO anu rop odicudortnI A53 oluÇÁra .°ÁAmrif ol n¡ÁtsikaP le ohceh ed y ,n¡ÁtsikaP le y aidnI al noc ouq utats ed sodreuca ramrif y aicnednepedni us renetnam etnemlaicini odidiced aAbah hgnIS irah ajaR .K&J ed onreiboG le rop odatneserp euf lanigiro rodarrob IE .selbanoitsec res a ragell nedeup selaincediserp senedr°ÁA sahcum ,agnetnam es euq sonem a oreP .K&J a n°ÁAicuititsnoc al acilpa es lauc led s°ÁAvart a len°ÁAt nu omoc otricsed ah es 073 oluÇÁra IE .n°ÁAicuititsnoc al ed acisjÁb aruturtse al aloiv o lanoicuititsnocni se is jÁranimaxe omerpuS lanubirt IE .aK&J ed etneyutitsnoc aelbmasA al rop adarapes n°ÁAicuititsnoc anu ed n°ÁAicæder al y oticisibelp le noc aidnI al ed osimormoc le °ÁAretier ragnayYA ,aidnI al ed etneyutitsnoc aelbmasA al rop n°ÁAicuititsnoc al ne odicelni etnemlanif euf 073 oluÇÁra le odnauc .9491 ed eurtbco ed 71 IE »A.ovitarspe res ed odajed ah acnun 073 oluÇÁra le-Å euq ojíd seceuj onic ed alaS anU .n°Áisehda al ojidorp es om°ÁACÁ .ognimod le raganiS ne ehcon al rop aidraug necah sodatdos sol .otcibisbelp nu ararbeleç es euq atsaah laropmet are n°Áisehda al euq euf n°ÁAicæterpreni artO .amsim al ed etnargetni etrap omoc aidnI al ed n°ÁAinU al y odatsE le ertne etnetsixe n°ÁAicaler al rojem rinifed Å of a Special Statute under Article 371, from 371A to 371I. Again, article 249 249 The Parliament to make laws in the entrances of the state list) was extended to J & K without a resolution of the Assembly and only by a Recommendation of the Governor. Article 35A is unique that it does not appear in the main body of the Constitution, article 35 is immediately followed by article 36 ", but it arises in Application I. Article 35A allows the J & Y legislature K to define the state. Permanent residents and their special rights and privileges. Article 356 stretched through a similar arrangement that was already in article 92 of the constitution of J & K, which required that it could be ordained The Rule of the President alone with the concurrence of the President. (AP) The article 370 can be eliminated, it is more useful for India today that J & K. Since article 35A represents the theory of the BAS structure Sica of 1973, according to Waman Rao (1981), can not be tested on the tactile stone of the basic structure. India has used article 370 at least 45 times to extend the provisions of the constitution of India to J & K. However, such order must be preceded By the concurrence of the Constituent Assembly of J & K. The schedule attached to the instrument of adhesion gave Parliament the power to legislate with respect to J & K only in defense, external affairs and communications. Communications